

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNIVERSAL DYEING AND
PRINTING, INC.,
Plaintiff,

v.

SHORELINE WEAR, INC.,
Defendant.

CV 18-9517 DSF (ASx)

Order Dismissing Case for Lack
of Prosecution

Plaintiff's March 18, 2019 response to the Court's Order to Show Cause re Dismissal for Lack of Prosecution is not sufficient.

Rule 4(m) states that a court "must dismiss the action without prejudice" if the defendant is not served within 90 days. The Court is granted discretion to order service within a specified time and must extend the time for service on a showing of good cause. The Court's Order to Show Cause explicitly required Plaintiff to either (1) show that Defendant was served within the 90-day period or (2) make a showing as to why the 90-day period should be extended.

While Defendant was apparently served on March 15 – over four months after the filing of the case – Plaintiff's response provides no showing as to why it did not serve defendant within the 90-day period.

Therefore, the case is DISMISSED without prejudice.

IT IS SO ORDERED.

Date: April 2, 2019

A handwritten signature in blue ink, reading "Dale S. Fischer", is positioned above a horizontal line.

Dale S. Fischer
United States District Judge